

**Security Council**

Distr.: General
24 October 2012

Original: English

Letter dated 24 October 2012 from the Permanent Representative of South Sudan to the United Nations addressed to the President of the Security Council

It gives me great pleasure to transmit the statement of my Foreign Minister at the African Union Peace and Security Council's high-level meeting in Addis Ababa that took place today, 24 October 2012 (see annex).

This statement highlights the support of the Republic of South Sudan for the African Union proposal on the Abyei Referendum, the need for a legitimate political consultative process in Southern Kordofan and Blue Nile, as well as the need for support to both States parties in implementing the signed agreements. It is the expressed opinion of the Republic of South Sudan that we must deal with these matters comprehensively in order to consolidate our unwavering commitment to peace with the neighbouring Republic of the Sudan.

I should be most grateful if the present letter and its annex could be circulated to the members of the Security Council as a document.

(Signed) Francis Mading Deng
Permanent Representative



Annex to the letter dated 24 October 2012 from the Permanent Representative of South Sudan to the United Nations addressed to the President of the Security Council

Statement by H.E. Nhial Deng Nhial, Minister for Foreign Affairs and International Cooperation, Republic of South Sudan, at the meeting of the African Union Peace and Security Council Addis Ababa, 24 October 2012

The Government of the Republic of South Sudan is grateful for the opportunity to brief the African Union Peace and Security Council on the agreements signed, here in Addis Ababa on 27 September 2012, between our country and the Republic of Sudan, and to offer our suggestions and views both on the implementation of these agreements and the process by which outstanding issues must be definitively resolved.

May I first take the opportunity, on behalf of my Government, to congratulate the Chairperson of the Commission on the assumption of her responsibilities on 15 October 2012. Madam Chairperson, you have the full support of my Government and we wish you well in your work to address the many challenges our continent faces.

Exactly six months ago my colleague, Minister Deng Alor Kuol, briefed this Council on the state of relations between Sudan and South Sudan. Our countries had not agreed on all of the terms of our separation and, as a result, our relations deteriorated and we appeared to be on the brink of a broader conflict. However, South Sudan stated clearly then what has always been our position: that war should be in our past and that peace and prosperity should be our future. Now, with the help of the African Union and of this Council, supported in particular by the High-level Implementation Panel, and with the endorsement of the United Nations Security Council, we have established a foundation for a more productive relationship, in which two viable States living side by side in peace can emerge. We are thus on the brink of a new stage in our relations, in which we hope that — at last — our two States can build peace and foster development for the benefit of all of our peoples.

As you know, the last round of negotiations between our two countries culminated in the signing of nine agreements. These agreements specify how the Republics of Sudan and South Sudan will arrange their future relations in the fields of security, borders, trade, the four freedoms and the health of our economies. As President Mbeki, Chair of the Panel, has himself pointed out: "The agreement sets a unique benchmark between two African sovereign States for how African neighbours should construct relations to give concrete reality to the objectives, shared by the peoples of our continent, of African integration, unity, solidarity and mutually beneficial cooperation."

As the members of this esteemed Council are also aware, these agreements have now been ratified by the South Sudan Legislative Assembly and by the National Assembly in Khartoum. The Republic of South Sudan stands ready to staff and establish the variety of implementation mechanisms created by the agreements.

The agreements include generous concessions by South Sudan in order to ensure peace and stability between our two countries. South Sudan has made

significant financial sacrifices in the interest of peace. The transitional financial arrangement whereby South Sudan will provide over 3 billion United States dollars to Sudan over the next three and a half years, in addition to the forgiveness of 4.9 billion United States dollars in debt, represents the most generous contribution by any State in Africa to the welfare of its neighbour.

The agreement to open the borders is another important step towards building a constructive relationship between South Sudan and Sudan. It will allow more of our people to return to South Sudan, it will increase the cross-border trade in goods and services, especially among the war-torn border communities, and it will generally help to revitalize the economies of both countries.

On behalf of my Government, I would like to pay tribute to the members of the High-level Implementation Panel for their efforts. We are most grateful for the dedication and perseverance that Presidents Mbeki, Buyoya and Abu-Bakr have brought to the negotiations in the past two and a half years. We also wish to thank the members of this Council, the United Nations Security Council and all those in the international community who have provided political and technical support to the parties during these negotiations.

On past experience, our States will still need some support to implement these agreements, which establish several commissions and mechanisms. There may be times when the parties will be unable to resolve implementation issues bilaterally. We respectfully invite the members of this Council to prepare for this eventuality and to consider what implementation modalities could be made available to the parties.

Despite all that has been achieved, which is not inconsiderable, there nonetheless remain issues that require the urgent attention of this Council: the final resolution of the status of Abyei and the issue of the disputed and claimed border areas between our two countries. We regret that it was not possible to reach a fully comprehensive agreement in Addis Ababa at the end of September.

Before touching on these issues in more detail, please permit me to remind you that the achievements of the past seven years have been based firmly on the groundwork established by the Comprehensive Peace Agreement of 2005. Those provisions of the Comprehensive Peace Agreement which have not yet been implemented, with regard to the status of Abyei, the demarcation of the north-south border and the Protocols of the two states of Southern Kordofan and Blue Nile, remain as challenges to all of us who wish to build two viable States living in peace and cooperation with each other.

I further note that the communiqué issued by this Council on 24 April of this year clearly called upon the parties to reach definitive agreements on all outstanding issues within three months. This included, and I quote from paragraph 13 of the communiqué: "resolution of the status of the disputed and claimed border areas and the demarcation of the border, and the final status of Abyei".

As Council members are aware, South Sudan accepted without reservation the High-level Implementation Panel's last compromise proposal on Abyei. I must also remind this Council that this was not the first time that we have compromised on the issue of Abyei in the interest of peace. When we signed the Comprehensive Peace Agreement in 2005, it called for a demarcation of the boundaries of the Abyei Area and stipulated that a referendum be held in Abyei on 9 January 2011, to allow the

Ngok Dinka and other residents of the Area to decide for themselves if they wished to be part of the North or the South. The findings of the Abyei Boundary Commission were rejected by the President of Sudan. We next agreed to refer the boundary issue to international arbitration and accepted without reservation the finding of the arbitral panel, which reduced the size of the area owned and claimed by the nine Ngok Dinka chiefdoms recognized under the Comprehensive Peace Agreement. This finding is binding, regardless of the objections raised to it by the Republic of Sudan. Despite these compromises on our side, the Abyei referendum stipulated by the Comprehensive Peace Agreement was never held, due to continued obstructions from the Republic of Sudan. Sudan then overran the Abyei Area in May 2011, displacing over 100,000 people and destroying Abyei Town for the second time in four years. One month later, we signed an agreement with Sudan to enhance the Comprehensive Peace Agreement's Abyei Protocol. The agreement was an attempt to diffuse tensions in the Abyei Area. The new agreement maintained the Abyei referendum, and detailed obligations for our two countries, including the withdrawal of their respective forces from the Area. South Sudan has withdrawn all of its armed forces from Abyei, whereas Sudan continues to have elements of the Sudanese Armed Forces in the name of an armed "oil police" stationed in Diffra (Keich), despite international demands for their withdrawal.

Since the African Union Peace and Security Council issued its road map in April of this year, Sudan has continued to block progress on this dossier. The Panel's last compromise proposal on Abyei, put to the parties in September, was very clear. Sudan had no basis for rejecting it. South Sudan has practically run out of compromises and the Republic of Sudan must accept that a referendum in Abyei be held by October 2013, and the referendum commission must be chaired by a nominee of the African Union. We invite the Council to issue a decision that is fully consistent with the Panel's last proposal.

We therefore urge the Council to adopt the African Union High-level Implementation Panel's 21 September 2012 "Proposal on the final status of the Abyei Area". This proposal, which the Government of South Sudan has, in the interest of durable peace with Sudan, unreservedly endorsed and is ready to fully implement, derives its legitimacy and authority from the fact that it represents the spirit and gist of the Abyei Protocol of 2005, which the parties crafted on the basis of their own free will. The Abyei Protocol enshrines the commitment of both South Sudan and Sudan to a referendum as the sole mechanism for resolving the problem of Abyei and at no point during the Comprehensive Peace Agreement negotiations did either party contemplate partition as a means of resolving the dispute over the Area. Therefore Sudan's novel contention that Abyei should be partitioned between the two States, if accepted, would not only amount to a travesty of justice for the Ngok Dinka whose Abyei homeland is being progressively chipped away by Khartoum, but would also reopen the debate over Abyei, with potentially fatal political consequences for the two States.

Excellencies, we urge you to take the bold decision of not postponing a decision on the African Union High-level Implementation Panel's proposal on the final status of Abyei. We fully understand that the temptation to withhold such a decision pending further negotiations by the parties may be too strong to resist. Nevertheless we call upon you to proceed with a resolution on the matter in the interest of consolidating the forward momentum generated by the recently concluded agreements between South Sudan and Sudan.

As a matter of principle, we have never been averse to continuing dialogue with Sudan on any issue, no matter how hopeless that may seem, but, in the present case in particular, it is hard to see much value in further discussions with Khartoum on Abyei. The reasons are quite obvious. The African Union High-level Implementation Panel had afforded the two sides almost unlimited opportunities to engage on the issue and at the highest levels. Indeed the issue of Abyei, for the best part of the negotiation period, was exclusively assigned to Presidents Salva Kiir and Omer Al-Bashir to handle, both prior to and after the independence of South Sudan. And as is to be recalled, all their endeavours failed to bear any fruit. So it remains to be seen what a few more weeks of negotiations can achieve that protracted negotiation sessions between the two Presidents on Abyei could not accomplish. The other question now is, who are those from the two sides that will undertake negotiations on a matter on which the two Presidents have failed to find a solution.

In the light of the latest presentations by South Sudan and Sudan on Abyei, it is becoming increasingly obvious that the parties' paths have started diverging away from the referendum exercise that they had mutually agreed to for Abyei as part of the Comprehensive Peace Agreement of 2005. Whereas South Sudan maintains its commitment to a referendum as the sole mechanism for determining Abyei's final political status, in conformity with the Abyei Protocol, the Republic of Sudan has clearly embarked on a new trajectory, namely, partition. The referendum and partition trajectories run in parallel and are therefore irreconcilable. What this means in practice is that even if the parties, at whatever level, were to resume negotiations on Abyei, they would certainly not be able to do so and reach agreement since they do not share a single common premise. It will be like going back to the drawing board. In our opinion such an eventuality must be avoided at all cost. Excellencies, it is in the light of these considerations that we earnestly reiterate our appeal to you to endorse the African Union High-level Implementation Panel's proposal on the final status of Abyei before you depart from Addis Ababa.

On the disputed and claimed border areas, we remind the Council that its 24 April decision required final agreement on the status of both these matters. Consequently, it is imperative that this Council adopt a resolution on the terms of reference for the experts that formally places both the disputed and claimed areas firmly within the mandate of the Panel. It is worth reminding your Excellencies that the clashes of April this year between Sudan and South Sudan were on the claimed area of Panthou (Heglig).

South Sudan has accepted the African Union High-level Implementation Panel's suggestions and proposed a mechanism for dealing with the disputed and claimed areas. It is in everyone's interests for there to be definitive solutions for all disputed and claimed areas. We welcome the appointment of the African Union Panel of Experts on Boundary Claims and Disputes between Sudan and South Sudan and we look forward to working with the Panel. Once its non-binding findings are issued, we are prepared to engage in limited and time-bound bilateral negotiations with the Republic of Sudan. We suggest that the parties should be invited back to brief this Council on their negotiations after a limited period. Thereafter, if our two States fail to agree — given that we have been negotiating these border issues since the signing of the Comprehensive Peace Agreement in 2005 — we must have the option to refer the issue of the disputed and claimed border areas and the demarcation of the border to international arbitration. Our approach here is fully consistent with the best practices of the African Union in dealing with border

disputes. We therefore invite this Council to issue a decision that includes support for that eventuality, should it be necessary.

I would be remiss if I did not briefly mention a third component of the Comprehensive Peace Agreement that remains unresolved, namely the fate of the peoples of Southern Kordofan and Southern Blue Nile. The Republic of South Sudan has offered its good offices to help resolve the ongoing humanitarian and security problems in any way we can. We deplore the unnecessary suffering of our Sudanese brothers and sisters across the border and have taken in several tens of thousands of them with the welcome help of the international community. We would very much prefer to see such help being delivered to them in their own home areas, as a result of the implementation of the humanitarian agreements signed by all parties and the negotiation of a cessation of hostilities. While all the parties have accepted these points, they have not yet been acted upon. There can be no military solution in the two areas — instead there must be a meaningful political process which addresses the legitimate grievances of the peoples of these areas, in accordance with the stipulations of the Comprehensive Peace Agreement and of the 28 June 2011 Agreement.

To conclude, my Government has done everything in its power to ensure that the Republic of South Sudan has complied fully with the provisions of this Council's communiqué of 24 April 2012, as well as with those of United Nations Security Council resolution 2046 (2012). While we work to implement the agreements that we signed last month, it is now up to the African Union to decide how to proceed with the remaining outstanding issues. My Government looks forward to hearing what the Council concludes and will act in accordance with its decisions.

Once again, we thank the members of this Council for their continued support to our two States in our pursuit of peace, stability and development.

**Security Council**

Distr.: General
25 October 2012

Original: English

Identical letters dated 24 October 2012 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

As I write the present letter, Hamas terrorists are firing deadly rockets into the heart of southern Israel. In just the past day, more than 70 rockets have been launched into Israeli cities and communities. Every hour, the count continues to rise and the damage to life and property continues to grow. Life is paralysed for 1 million Israelis. Parents cannot go to work — and children are not going to school.

Hamas deliberately provoked this escalation. Yesterday, it detonated a bomb on Israel's border with Gaza, severely injuring an Israeli officer. It is time for the world to take note: Hamas is determined to murder Israelis and escalate conflict in our already very turbulent region.

Let me be clear. If the international community does not send a strong signal today, there could be tragic consequences tomorrow.

I call on you — and all other Security Council members — to condemn Hamas terrorism without any equivocation or delay. Hamas and other terrorists in our region will interpret the silence of the Security Council as a green light for terror and provocation.

Israel holds Hamas fully responsible for the terrorism that continues to flow from Gaza. In response to these terrorist attacks, Israel has exercised — and will continue to exercise — its right to self-defence, as appropriate, and will take all necessary measures to protect its citizens.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(Signed) Ron Prosor
Ambassador
Permanent Representative

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General Assembly Security Council

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25 October 2012

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem
and the rest of the Occupied Palestinian Territory

Security Council
Sixty-seventh year

Identical letters dated 24 October 2012 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to you today to draw your attention to the serious deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem, on all fronts owing to the illegal policies and aggression being carried out by Israel, the occupying Power, and its illegal extremist settlers against the Palestinian people. We condemn in the strongest terms the recent military attacks by the Israeli occupying forces against the Gaza Strip and the continued perpetration of terror and destruction by Israeli settlers in the West Bank. We call on the international community to act responsibly to address this very serious situation, which is deepening the already grave human rights crisis being endured by the Palestinian people under Israeli occupation.

Over the past two days, Israel, the occupying Power, has continued to launch air strikes against civilian areas in the Gaza Strip, causing casualties and property destruction. Israeli occupying forces have launched missiles at areas in both the northern and southern parts of Gaza, including Beit Lahiya, Rafah and Khan Younis, deliberately targeting persons for death and spreading terror and fear among the civilian population. These recent Israeli attacks have killed four Palestinians and reports indicate that more Palestinians may have been killed in these brutal attacks. The names of those killed thus far are Ismail Issa Al-Tilli (26), Mohammed Al-Sheikh (32), Loai Abed Al-Hakeem (24) and Youssef Mahmoud Abu Jalhoum (27), who died of his wounds sustained yesterday, 23 October 2012. Moreover, these latest Israeli airstrikes injured at least a dozen other Palestinians, some of whom were critically wounded.

Recent threats made by the Israeli Prime Minister and other Israeli officials for more extensive military attacks against the Gaza Strip are exacerbating tensions and worries among the Palestinian people. Such threats of use of force should also be cause for alarm in the international community, including the Security Council in line

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S/2012/791

Annex to the letter dated 23 October 2012 from the Chair of the Peacebuilding Commission addressed to the President of the Security Council

Issues and recommendations emanating from the interaction between the Security Council and the Peacebuilding Commission in 2012

Summary by the Chair of the Peacebuilding Commission

[11 September 2012]

Introduction

At the conclusion of the Security Council's open debate and informal interactive dialogue, convened on 12 and 13 July 2012, respectively, the Chair of the Peacebuilding Commission announced that he would summarize the main issues and recommendations emanating from both events and present the summary to the Organizational Committee for discussion, with a view to submitting it to the Security Council for subsequent and more focused future interaction. A summary of the views and perspectives expressed during the two aforementioned occasions is contained in the present document. On 10 September 2012, the summary was discussed in the Organizational Committee, where members shared their views on the content.

The summary is divided into two main sections. Section I highlights issues raised and suggestions made concerning Peacebuilding Commission policy orientation and institutional issues. Section II reflects the views expressed with respect to the relations between the Commission and the Security Council and the proposals made to strengthen the relationship between the two organs.

I. Peacebuilding Commission: policy orientation and institutional issues

A. Overview and key message

The unique membership structure of the Peacebuilding Commission should enable it to serve as a central platform for discussion of peacebuilding within the United Nations system. Consequently, the Commission should focus on bringing together all relevant political and development actors with a view to aligning their actions behind national peacebuilding priorities and the long-term needs of countries on its agenda. The engagement of the Commission would help ensure mutual accountability between the Governments concerned and their partners, resulting in a long-term commitment from the international community.

However, it was recognized that, in performing this role, the Peacebuilding Commission faces the serious constraints of lacking both a system-wide mandating authority and pooled financial resources at its disposal. Moreover, the Commission is faced with the paradox that, while peacebuilding is multidisciplinary in nature, the institutional architecture of the international system is fragmented across

with its Charter duty to maintain peace and security. We stress that the Palestinian civilian population in Gaza remains extremely vulnerable and in need of protection, to which it is entitled in accordance with international humanitarian law, particularly in light of the threats for more Israeli attacks.

Moreover, we must recall that the Palestinian people in Gaza are still, to this day, suffering from the trauma and negative repercussions of the major Israeli military aggression perpetrated against Gaza nearly four years ago before the eyes of the international community and from the vastly detrimental effects of Israel's ongoing blockade. In this regard, we recognize the continuing efforts of the international community, including international activists and civil society, in solidarity and support of the Palestinian people in Gaza enduring this unjust, inhumane blockade. We strongly condemn the recent seizure of the civilian boat, the *MV Estelle*, which had been sailing to Gaza to provide humanitarian aid to our people, and we condemn the violent, forced capture and detention of the international activists on-board and call for the immediate release of those still in Israeli captivity.

We must also call attention to the need for protection of the Palestinian civilian population in the rest of the Occupied Palestinian Territory, including East Jerusalem, who remain vulnerable to acts of terror, intimidation and destruction by armed, extremist Israeli settlers, in addition to the regular military raids carried out by the occupying forces in Palestinian towns and villages. In the recent period, such Israeli settler actions included more attacks on Palestinian farmers, including those trying to harvest their olives; the burning and uprooting of trees; the dumping of waste water from the illegal settlement of "Betar Illit" onto agricultural lands in the village of Nahalin, west of Bethlehem, damaging olive, grape and almond crops; the spraying of racist slogans of incitement on a Palestinian home and the burning of a vehicle in the village of Abu Al-A'sja, south of Al-Khalil; the seizure of 10 dunums of privately owned Palestinian land in the Qarout village, south of Nablus; and the assault of a Palestinian man by four settlers at a gas station near Bethlehem.

Of course, at the same time, Israel continues and intensifies its illegal settlement activities in the Occupied Palestinian Territory, including East Jerusalem, in grave breach of international law and violation of United Nations resolutions. Once again, the Israeli Prime Minister is making provocative declarations regarding Israel's intentions to flagrantly continue pursuing this illegitimate campaign, especially in Occupied East Jerusalem, where the occupying Power's attempts to alter the demographic composition, character and status of the Territory have been most fervent.

Last week, Israel declared its intention to expand the illegal settlement of "Gilo", located between East Jerusalem and Bethlehem, by another 797 units, with the Prime Minister boasting about Israel's illegal plans in this regard. This expansion, if undertaken, would deepen the separation and isolation of East Jerusalem, the heart of the Palestinian State, from the rest of its natural Palestinian environs, clearly part of a deliberate colonization scheme by the occupying Power. And just today it was reported that Israel plans to construct 90 new housing units in the West Bank settlement of "Beit El" near Ramallah through a so-called deal made with illegal Israeli settlers in return for a "quiet evacuation" of the nearby "Ulpana" outpost. These latest decisions must be condemned and the international community must demand that Israel rescind such decisions and cease all such illegal actions. Moreover, Israel's ongoing cynical attempts to "legitimize" settlements must also be totally and firmly rejected by the international community.

At the same time, part and parcel of Israel's illegal colonization has been its destruction and confiscation of Palestinian property, which has also continued. Just recently, the occupying forces demolished, inter alia, several agricultural facilities, wells and sheds in the town of Idna, west of Al-Khalil; demolished a water well and handed out demolition notices for several Palestinian homes in Wadi al-Ghorus, east of Al-Khalil; and destroyed five artesian water wells and a spring in the village of Kufr Dan, east of Jenin, causing further harm to the Palestinian land, further exploitation of Palestinian natural resources, and further impairment of Palestinian livelihoods and access to water.

We condemn all of these illegal, provocative actions by Israel, the occupying Power, in our land. We reiterate once again that Israel's construction and expansion of settlements and settlement "outposts" and its construction of the Wall on confiscated Palestinian land are destroying the contiguity and integrity of the Palestinian Territory, destroying the viability of the two-State solution and thus destroying the prospects for the resumption of the peace process for the achievement of a final peace agreement. The international community has a political and moral responsibility to prevent this from happening and must act to uphold international law and its own demands on Israel, the occupying Power, to cease all of its settlement activities in the Occupied Palestinian Territory, including East Jerusalem, immediately and completely, and to abide by its legal obligations and international commitments, including under the Quartet road map.

The duties of the international community, including the Security Council, are clear and must be respected and upheld. The situation on the ground in the Occupied Palestinian Territory, including East Jerusalem, is critical and the human rights situation under the Israeli occupation is severe. The Palestinian people and their leadership continue to look to the international community to urgently take the necessary stand and action to bring a halt to Israel's flagrant impunity and its violations and aggression against our people and our land. We remain convinced that international action is imperative for sending the proper message to Israel, the occupying Power, that its transgressions of the law and United Nations resolutions will no longer be tolerated and that it will be held accountable and must abide by international law, just like all other Member States, without exception.

The present letter is in follow-up to our previous 435 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 8 October 2012 (A/ES-10/563-S/2012/747), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) **Nadya Rasheed**
Chargé d'Affaires, a.i.



Security Council

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2 November 2012

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Identical letters dated 25 October 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instruction from my Government, I have the honour to transmit herewith a letter (see annex) that represents the position of the Syrian Arab Republic on the report of the Secretary-General on the implementation of Security Council resolution 1559 (2004) (S/2012/773).

I would highly appreciate if the present letter and its annex were circulated as a document of the Security Council before the date of discussion of the report by the Security Council.

(Signed) Bashar Ja'afari
Ambassador
Permanent Representative



Annex to the identical letters dated 25 October 2012 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

- The Syrian Arab Republic would like to reaffirm that it respects Lebanon's sovereignty, territorial integrity, unity and political independence. It continues to cooperate with the Lebanese authorities in order to achieve those objectives. It wishes to make the following comments concerning the sixteenth semi-annual report of the Secretary-General on the implementation of Security Council resolution 1559 (2004).
- Paragraphs 2, 5, 9, 13, 15, 21 and 34: Syria is disappointed that large parts of the report go beyond the terms of resolution 1559 (2004) by focusing on internal Syrian affairs. Syria rejects the way in which it is persistently targeted for narrow political purposes. There are no procedural, substantive or logical grounds for continuing to make a connection between the details of the internal Syrian crisis and the objectives of resolution 1559 (2004), which is concerned fundamentally with monitoring a specific situation in Lebanon.
- Paragraphs 2, 15 and 47: the Syrian Arab Republic affirms that the Syrian Army operations along the Syrian-Lebanese border, to which the report refers, are legitimate in the context of the Syrian authorities' exercise of their territorial sovereignty in order to prevent terrorist infiltration or arms trafficking into Syrian territory. The Lebanese authorities and the report of the Secretary-General itself have established that such activities continue to take place. The Syrian State is entitled to take all of the security and military measures provided for under international conventions in order to prevent the terrorist groups active on Syrian territory from transporting weapons and explosives across the Lebanese border and other borders. The report refers to damage affecting Lebanese civilians and property along the border. That damage was in fact caused by attacks from armed terrorist groups and factions of arms traffickers. The Syrian authorities are prepared to cooperate with the Lebanese authorities to verify the circumstances of the attacks and address their causes.
- Paragraph 5: Syria categorically rejects all of those claims and deplores the report's reference to incorrect media reports mentioning political and security figures in the country. Syria is surprised that the Secretary-General's report on resolution 1559 (2004) has been used as a pretext to circulate spy stories according to a tried and tested method. That approach endangers the credibility and seriousness of the report in an unprecedented manner.
- Paragraphs 10, 13 and 55: Syria reaffirms yet again its position on the delineation of the Syrian-Lebanese border: the real obstacle to the final delineation of the Syrian-Lebanese border is Israel's continued aggression and its occupation of the Syrian Golan and the Shab'a Farms. Syria hopes that developments inside Syria or Lebanon will not be artificially dragged into the issue. The delineation of borders in the area depends on an end to the Israeli occupation of Lebanese territories and of the Syrian Golan in accordance with

the resolutions of international legitimacy, particularly Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace.

- Paragraphs 14 and 56: Syria believes that the linkage between the border delineation and the internal situation in Syria is an artificial political manoeuvre aimed at adding to the pressure exercised by certain States against the Syrian State in the context of its current internal crisis. It is not genuinely intended to preserve the integrity of border relations between Syria and Lebanon. At the same time, the Syrian Arab Republic believes that the reference in the report to arms smuggling from Lebanon to "Syrian opposition forces" is a positive development. There is a need to recognize the increase in arms smuggling, which is overseen by the Lebanese member of parliament Uqab Saqr and the Lebanese "Future Movement" to which he belongs.
- Paragraph 16: Syria takes note that the report deplores the occurrence of violations of Lebanon's territorial integrity and the loss of life. However, the report ought also to have deplored the armed attacks on border guards and the police force on the Syrian side. The attacks coincide with the infiltration of terrorists who are funded and armed by certain parties in Lebanon.
- Paragraph 18: the Syrian Arab Republic reaffirms its position that the real obstacle to the resolution of the Shab'a Farms question is Israel's continued occupation of those Farms and the Syrian Golan, and its refusal to comply with resolutions of international legitimacy. The border cannot be delineated until Israel withdraws from the Shab'a Farms area because it is impossible to delineate the border while that area remains occupied.
- Paragraphs 27, 44 and 53: Syria affirms that the Palestinian presence in Lebanon is governed by Lebanese-Palestinian agreements which do not concern Syria. With respect to the Palestinian positions located along the Syrian-Lebanese border that are noted in the report, we reiterate that all those positions lie within Lebanese territory. From a historical perspective, that Palestinian presence is linked to the ultimate causes of the Palestinian presence in Lebanon and other neighbouring States, including Syria. Those causes come down to Israel's continued occupation of Palestinian territories and its refusal to implement the resolutions of international legitimacy, including Security Council resolutions 242 (1967) and 338 (1973) and General Assembly resolution 194 (III), which guarantees the Palestine refugees' right to return to the homes from which they were expelled.
- Paragraph 28: the Syrian Arab Republic appreciates the fact that the Lebanese Army has in recent months intercepted trucks containing weapons destined for terrorist groups in Syria. It encourages the Lebanese authorities to continue those operations. Through the Syrian ambassador in Lebanon and the Lebanese ambassador in Damascus, the Syrian Arab Republic has urged the Lebanese side to take all possible measures to prevent the smuggling of weapons into Syria. The report effectively states that arms transfers are taking place into Syrian territory. It goes on, however, to say that the United Nations does not have the means to verify that information independently. Yet paradoxically, in paragraph 5, the report does appear to endorse media accusations regarding the involvement of Syrian officials in the case of the former Lebanese minister Michel Samaha.

- Paragraph 34: the Syrian Arab Republic completely rebuts the claim contained in this paragraph concerning the killing of Hizbullah militants, as well as the idea that they were "involved in the fighting against armed elements of the Syrian opposition". These are mere media reports and have no basis in truth.
 - Syria once again calls on the international community to play a constructive role in helping Lebanon to promote its stability and preserve its sovereignty and integrity from a domestic and regional perspective, bringing all Lebanese people together in a national process for the greater good of Lebanon. It again calls on the Security Council to work to end Israel's occupation of the remaining Lebanese territory and its ongoing violations of Lebanese airspace, territory and waters. Syria believes that the realization of stability in Lebanon would have a positive effect on the security and stability of Syria and the entire region.
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**Security Council**

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Letter dated 25 October 2012 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Further to my meeting with you yesterday, I would like to convey to you that the Yarmouk military factory in the capital of my country, Khartoum, which produces traditional weapons and ammunition, was subjected to aerial bombardment by the Israeli Air Force in the early hours of Wednesday, 24 October. The bombardment led to the death of two civilians and seriously injured a third person.

The Government of the Sudan condemns in the strongest possible words this barbaric aggression, which stands as a stark violation of the Charter of the United Nations and of the sovereignty of the Sudan.

While conveying to you this heinous act of aggression against my country, we will also keep you informed about the result of the National Committee of Investigation on the matter and would expect the Security Council to take appropriate measures accordingly.

You are kindly requested to circulate the present letter as a document of the Security Council.

(Signed) Daffa-Alla Elhag Ali Osman
Permanent Representative



S/2012/
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**Security Council**

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Letter dated 23 October 2012 from the Chair of the Peacebuilding Commission addressed to the President of the Security Council

At the conclusion of the open debate and informal interactive dialogue, convened by the Security Council on 12 and 13 July 2012, respectively, I indicated that I would summarize the main issues and recommendations emanating from both events, present the summary to the Organizational Committee of the Peacebuilding Commission for discussion and transmit it to the Security Council.

I am pleased to enclose herewith, for the attention of the Security Council, the summary of the discussions held at the meetings of 12 and 13 July 2012 (see annex). The attention of the Council is drawn to the following elements, which, in my view, deserve particular attention and subsequent interaction between the two bodies:

- The emphasis placed by many participating members on the need to renew the sense of collective responsibility of the individual members of the Peacebuilding Commission to contribute to the peacebuilding objectives in the countries on the agenda. This is particularly relevant to States members of the parent organs of the Commission.
- Suggestions were made concerning the areas that would benefit from more dynamic relations between the Security Council and the Peacebuilding Commission. These include: the monitoring of the key peacebuilding goals and related tasks in a mission's mandate that are related to priority areas identified by the countries on the agenda in the Commission's instruments of engagement, and the assessment of progress and/or gaps in peacebuilding processes, including the level of national and international commitment and the implications for the transition processes of mandated missions.
- The idea that the Security Council could consider clearer articulation of the role of the Peacebuilding Commission in relevant country-specific resolutions and/or presidential statements, with a view to clarifying the respective roles of the Commission and the missions of the United Nations in the field in their reporting to the Council. The letters that the President of the Council for the month of September addressed to the chairs of the country configurations for Liberia and Sierra Leone, indicating what they were asked to report on to the Council last month, for example, gave a practical effect to this idea.

I take this opportunity to recognize through you, the important contribution that Colombia, as President of the Security Council in July 2012, made to enable the Peacebuilding Commission to tap into the wealth of experience of Member States during the open debate and the informal interactive dialogue. We will continue to



numerous security, political and development actors, with neither a common vision nor effective coordination in place.

In order to achieve its full political potential and to grapple with the serious systemic challenges, the Peacebuilding Commission needs to continually refine its policy orientation and strengthen its institutional mechanisms. At the same time, there is an urgent need for renewing the sense of collective responsibility and commitment from the individual members of the Commission, complemented by political and institutional support from its parent organs.

B. Policy orientation

1. Potential added value of the Peacebuilding Commission

While there are limitations affecting its role and performance, the Peacebuilding Commission could realistically bring added value to the peacebuilding efforts of the United Nations and the international community by:

- Playing a crucial role in political accompaniment of the countries on its agenda.
- Leveraging the political clout of its membership and, potentially, their contributions in support of complex peacebuilding processes.
- Providing a comprehensive perspective on and ensuring that security and development efforts at the country level are targeted to address the root causes of conflict.
- Offering a unique perspective on cross-border and regional peacebuilding challenges.
- Enhancing the overall response and delivery of the United Nations system and the international community in the countries on its agenda.
- Serving as a platform for strengthening coherence in the global peacebuilding agenda by linking together related activities within the United Nations (e.g., civilian capacities, the post-2015 framework) and outside the United Nations (e.g., *World Development Report*).

2. Overarching principle: National ownership and capacity development

The engagement of the Peacebuilding Commission in country-specific situations is based on and supports the principle of national ownership with a view to ensuring long-term sustainability. As such, the Commission should consistently strive to:

- Ensure that affected communities and segments of societies (especially women and youth) fully participate in identifying and shaping national peacebuilding priorities. National actors should be continuously encouraged to lead the way in determining priorities and in designing and implementing national strategies.
- Encourage the development of transparent and accountable national systems to enable aid coordination and management. Facilitate triangular partnerships that support the sharing of expertise in this crucial area.

- Explore modalities to facilitate South-South cooperation by identifying areas requiring technical assistance from countries with similar traditions, socioeconomic structures and experiences.

3. Fulfilling its core mandates and functions

The Peacebuilding Commission should sharpen its focus by seeking practical ways to fulfil its core mandates and functions and by paying particular attention to the following issues in country-specific contexts:

(a) Resource mobilization:

Building on the series of its policy discussions on resource mobilization and, in particular, its most recent discussion on the topic, held on 9 July 2012, the Commission should focus its efforts on:

- Helping the Governments of the countries on its agenda to develop their national resource mobilization strategies for peacebuilding priorities, including through: (i) mapping exercises aimed at identifying gaps in resources and capacities; (ii) the development of viable coordination and aid management systems; and (iii) the sharing of good practices on sound investment and business policies and management of national revenues (including natural resources management).
- Outreach and advocacy with a view to: (i) sustaining attention and commitment from donors and encouraging the alignment of assistance behind national peacebuilding priorities; and (ii) broadening the donor base, including through the engagement of philanthropic organizations and foundations.

(b) Partnerships, coordination and coherence:

- Strengthen partnerships with international financial institutions (e.g., the World Bank, the International Monetary Fund or the African Development Bank) by encouraging joint assessment and complementary programming with the United Nations and bilateral actors around nationally identified peacebuilding priorities.
- Encourage and support the flow of information to operational entities at the country level on priorities, progress, gaps and duplication in peacebuilding assistance.
- Use the periodic reviews of the instruments of engagement to assess and report on the progress, or lack thereof, in the alignment of international assistance behind national priorities.
- Explore how peacebuilding objectives and the specific needs of post-conflict countries can be reflected in the post-2015 framework.

(c) Good practices and lesson-sharing:

- Review and disseminate good practices from countries that have passed through peacebuilding experiences to countries on the agenda of the Peacebuilding Commission.

- Facilitate peer-to-peer cross-learning and matchmaking in relation to country-specific peacebuilding priorities.

C. Institutional issues

1. The role of the broader membership

As part of the effort to renew the sense of collective responsibility of the individual members of the Peacebuilding Commission, it is important that the membership in the various configurations commit to undertaking certain responsibilities. To this end, the membership is expected to:

- Take on specific tasks, ranging from political advocacy to technical and financial support to countries on the agenda. Members with embassies in these countries should be given special responsibilities in these areas.
- Leverage the political clout of the principal organs (for members that are drawn from the membership of these organs) in support of activities of the Commission (e.g., in the area of coordination).
- Speak with one voice on the governing bodies of relevant United Nations and non-United Nations operational entities with a view to bringing about coherence in the work of those entities in the countries on the agenda.

2. Chairing the country configurations

The leadership role of the respective chairs is crucial in guiding the work of the country configurations and therefore their selection merits careful consideration:

- There is a need for introducing greater clarity regarding roles and responsibilities of the chairs and the membership of the country configurations, including through terms of reference.
- There is a need to recognize that there is a country dimension to chairing of a country configuration by which, when a country decides to provide a chair for a configuration, the Government of that country has to adopt a "whole of Government" approach such that high-level officials in various ministries and/or departments of Government and ambassadors can be called upon and required to provide additional support to the work of the Peacebuilding Commission.
- The country that the chair represents should ideally have diplomatic representation in the country on the agenda of the Commission. Alternatively, the Commission should identify a mechanism where member States with a presence in the country concerned could provide the chair with access to relevant information on the peacebuilding process and convey authoritative messages.

3. Relations with senior United Nations leadership in the field

The Peacebuilding Commission would benefit from clarity regarding the division of roles and responsibilities between the chairs of the country configurations and the ranking United Nations official in the field. Such clarity would facilitate the establishment of mutually reinforcing relations in a manner that would optimize the implementation of mandates and allow for developing coherent

messages and engagement with national actors. The main action required here is to follow up on the initial meeting between the chairs' group of the Commission and the special envoys/representatives of the Secretary-General, held in May 2012, to clarify and agree on the division of roles and responsibilities (e.g., providing political support to special envoys/representatives of the Secretary-General or agreeing on common messages to the Government and the international community at the country level).

4. Working methods

The Peacebuilding Commission should continue to strive to improve its working methods and enhance efficiency and credibility in conducting its work. Certain areas of its working methods deserve particular attention:

(a) A whole of Peacebuilding Commission approach

- Develop the role of the Organizational Committee, including through periodic interactions with country-specific configurations, with a view to: (i) identifying common challenges and facilitating cross-learning across the various configurations; and (ii) engaging the membership in a policy discussion that could best generate deeper interest and commitment among the wider membership.

(b) Assessment of impact in the field and mutual accountability

- Design the instruments of engagement with a view to strengthening mutual accountability. The periodic reviews need to place much emphasis on reviewing and assessing progress in meeting the commitments agreed upon.
- Strengthen the periodic reviews of the instruments of engagement with a view to assessing the impact and measuring results of the work of the Commission and to help maintain focus on areas of the Commission's comparative advantage.

(c) Differentiated forms of engagements

- Identify options for engagement that should encompass more than the full country configurations, featuring multi-tiered engagement, including regional approaches.

(d) Methodology for engaging stakeholders in the field

- Intensify efforts to identify standing mechanisms through which the Commission can link its activities to those of bilateral, multilateral and regional actors in the field (e.g., enhanced use of joint steering committees).

(e) High-level capital engagement

- Explore innovative ways to engage senior officials from capitals and provide an opportunity to engage institutional partners, non-governmental actors, as well as the senior leadership of lead departments of the United Nations and relevant entities (e.g., consideration of an annual session for the Commission, which would draw on inputs and participation from senior, capital-based officials).

(f) Communications

- Develop a communications strategy in order to give greater visibility to the Commission, explain what it can offer and disseminate awareness about peacebuilding efforts and challenges in countries on its agenda.

II. Relations with the Security Council**A. Overview and key message**

The 2010 review of the Peacebuilding Commission concluded that the benefits of an enhanced and more organic relationship between the Security Council and the Commission are increasingly being recognized, and the potential exists to create a new dynamic between a more forthcoming Council and a better performing Commission. The joint membership offers a natural interface that would facilitate the Council in drawing more proactively and regularly on the Commission's advice, which could inform the Council's perspectives and needs.

In order for the Peacebuilding Commission to fully meet its potential, the Security Council is invited to offer greater clarity on what type of advice it seeks from the Commission in its deliberations and in the definition of mission mandates. There are areas and situations where the Council could ideally draw upon specific inputs and advice from the Commission. There are also existing and prospective channels that could facilitate direct information-sharing and interaction between the two bodies.

B. Advisory role of the Peacebuilding Commission: scope and channels of interaction**1. Possible areas and situations for advice**

The Council could draw on targeted advice from the Peacebuilding Commission to facilitate deliberations and decision-making on mission mandates in countries on the Commission's agenda, including through:

- Clear articulation of overarching peacebuilding goals and related tasks in a mission's mandate (e.g., DDR, SSR, rule of law and national reconciliation) that are related to priority areas identified by the countries on the agenda in the Commission's instruments of engagement.
- Assessment of progress and/or gaps in the peacebuilding process, which could include: (a) the effectiveness of international support to the countries on its agenda; (b) the contribution of United Nations agencies and international financial institutions to peacebuilding tasks and objectives; and (c) the degree of inclusivity and national ownership of peacebuilding in a given country.
- Assessment of progress in the peacebuilding process ahead of consideration of decisions on drawdown and/or transition from one form of engagement by the United Nations to another, which could include: (a) level of support from and commitment of the international community; (b) ways to enhance the capacity of United Nations country teams in order to enable them to continue to support long-term peacebuilding efforts in the countries on the agenda; and (c) country-specific opportunities for and risks to peace consolidation.

2. Engagement by the Security Council

For the Peacebuilding Commission to meet the expectations of its advisory role, the Security Council may consider inclusion in its resolutions and/or presidential statements, or through direct correspondence, of the following:

- Specific requests for advice and/or assessment in any of the aforementioned areas and/or situations.
- Articulation of the role of the Commission in resolutions and/or presidential statements, with particular emphasis on the division of roles, responsibilities and areas of complementarity with the senior United Nations leadership in the field.

3. Channels of interaction

To complement the formal periodic briefings by the chairs of country configurations, more frequent informal, periodic interactions will help the two bodies to manage and strengthen communications and mutual understanding of each other's specific needs and expectations. In particular, interactive communications would enable the Peacebuilding Commission to widen the field of vision of the Security Council across the full range of peacebuilding challenges and actors. Examples of these interactive channels include:

- Country-specific informal interactive dialogues (or formal private meetings), which could take place: (a) ahead of field visits by the Council to countries on the Commission agenda; and (b) in the run-up to mission mandate consideration. The chairs of the Commission could synchronize visits to the countries to precede consideration by the Council of the situations in the countries concerned, so as to bring a distinctive field-based peacebuilding perspective to bear in the discussions of the Council.
- Interactive dialogues with a view to reviewing and addressing broader systemic issues of mutual interest, including in connection with the consideration of the annual report of the Commission, as appropriate.
- Exchange of letters with specific requests from the Council or communicating country-specific information or analysis by the Commission.

Annex

Terms of reference for the Security Council mission to Timor-Leste, from 1 to 7 November 2012

Led by Ambassador Baso Sangqu (South Africa)

1. To reaffirm the commitment of the Security Council to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country;
 2. To commend the people of Timor-Leste for their successful presidential and legislative elections and efforts aimed at consolidating peace and democracy in their country;
 3. To encourage the Government, the Parliament, the political parties and the people of Timor-Leste to continue to work together and engage in inclusive dialogue to promote the further consolidation of peace, democracy, the rule of law, security sector reform, sustainable social and economic development and national reconciliation in the country, including fostering the role of women in the process;
 4. To express the support of the Security Council to Timorese leadership and ownership of the next phase of development;
 5. To acknowledge and express gratitude to the Government and people of Timor-Leste for their continued cooperation and collaboration throughout the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT);
 6. To commend and express the full support of the Security Council for the work of UNMIT and for the United Nations country team in Timor-Leste, and to assess the progress in the phased drawdown of UNMIT operations;
 7. To discuss with the Government of Timor-Leste their vision of an innovative working relationship of cooperation with the United Nations;
 8. To underscore the long-term commitment of the international community to sustainable peace and development in Timor-Leste and the continuing support of bilateral and international partners to those Timorese efforts as needed.
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